

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BARI & RICHARD HIMES : CIVIL ACTION  
v. :  
THE HOME DEPOT, USA, INC. : NO. 02-2774

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**ORDER**

AND NOW, this 14<sup>th</sup> day of January, 2004, upon  
consideration of the Defendant's Motion to strike the Plaintiff's theory of liability based on the  
alleged improper loading of the shopping cart, IT IS HEREBY ORDERED that the Motion is  
GRANTED.

BY THE COURT:

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JACOB P. HART  
UNITED STATES MAGISTRATE JUDGE